

FILED
2018 MAY 31 AM 11:20
CLERK
U.S. DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, NORTHERN DIVISION

HAROLD MARK TORBETT (A.K.A.
MARK TORBETT) and REGINA
TORBETT,

Plaintiffs,

vs.

THE CITY OF OGDEN, OGDEN CITY
POLICE DEPARTMENT, CODY MARSH,
Z. MARTIN, T. WILLIAMS,

Defendants.

**ORDER ON DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT AND
MOTION IN LIMINE**

Case No. 1:16-cv-00044-BSJ

Judge: Bruce S. Jenkins

Defendants filed a Motion for Summary Judgment [CM/ECF No. 42] and a Motion in Limine [CM/ECF No. 44]. Oral argument on the Motion for Summary Judgment took place on May 18, 2018 with all parties represented by counsel. Based upon the briefing and arguments of the Parties,

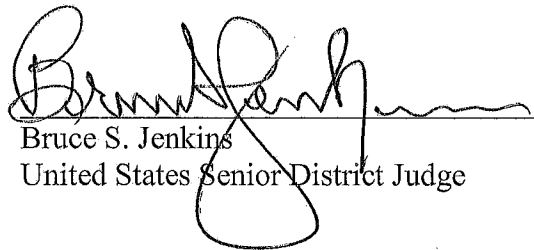
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. As to Defendants Ogden City and the Ogden City Police Department, the Motion for Summary Judgment is GRANTED, and the same are hereby dismissed with prejudice from this matter;
2. As to Defendant Martin, the Motion for Summary Judgment is GRANTED, and he is hereby dismissed with prejudice from this matter;

3. As to Defendants Williams and Marsh, the Court shall take the matter under advisement and shall issue a ruling on the Motion for Summary Judgment as it concerns them;
4. As to the Motion in Limine, the Court reserves that motion for later argument and adjudication, if necessary;
5. The Final Pre-trial, currently set for Friday, May 25, 2018, and all dates associated with it, including the filing of a proposed pre-trial order, is hereby stricken and shall be set for a future date if necessary.

SO ORDERED this 29th day of May, 2018.

BY THE COURT:


Bruce S. Jenkins
United States Senior District Judge

Approved as to form and content:

/s/ Stephen F. Noel
Attorney for Defendants

/s/ Michael Hepworth w/permission via email
Attorney for Plaintiffs